City of Lafayette
City Council

Agenda

Date: Monday, April 14, 2025

Time: **6:30 PM**

Location: Lafayette Library and Learning Center – Don Tatzin Community Hall
3491 Mount Diablo Boulevard, Lafayette, California

We acknowledge that Lafayette is part of the unceded, ancestral homeland of the Bay Miwok people. The Bay Miwok and neighboring Ohlone people have lived in and moved through this place for thousands of years. They stewarded and shaped this land for hundreds of generations. We express our appreciation and gratitude for this profound legacy, which enhances and contributes to our lives to this day. We will strive to honor this land and strengthen our ties with the Indigenous communities that continue to live and work in our East Bay region as our neighbors and community members. We acknowledge and honor them and their ancestors, elders, and next seven generations.

As a courtesy, and technology permitting, members of the public may participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, City Council/Board meetings will continue despite technical difficulties for participants using the teleconferencing (Zoom) option. To participate virtually in the City of Lafayette's public meetings and provide public comment, please follow these steps:

1. **Watch or Listen:** Meetings are broadcast on the City of Lafayette's YouTube Channel: http://bit.ly/LoveLafayetteYouTube.
2. **Submit Comments Before the Meeting**: Members of the public can provide public comment by sending an e-mail to cityhall@lovelafayette.org for City Council meetings no later than noon the day of the meeting. Those e-mails will be distributed to City Council, the City Manager, and the City Attorney, and will be posted as part of the public record.
3. **Live Remote Public Comments:** Technology permitting, members of the public may submit live public comment via Zoom conferencing by using the link below. You must download the Zoom app or software. Zoom meetings can be accessed by telephone, computer, or smart device. When the Mayor invites public comment for the item on which you would like to comment, please use the "raise hand" feature (or press *9 if connecting via telephone only) to alert staff you have a public comment to provide. Each speaker is allowed three (3) minutes to speak.

4. At the time and date of the meeting, please click this URL to join the webinar:
   https://us02web.zoom.us/j/85392210407?pwd=Blg2TzmPYN6KaMgY0g6qvIbaAC7tHU.1
   Passcode: **426199** Or join by phone: Dial **1 669 900 9128**
   Webinar ID: **853 9221 0407** Passcode: **426199**

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1) Call to Order **6:30 pm**

2) Roll Call

3) Circumstances Pursuant to AB 2449 (Gov. Code section 54953(f).)

4) Adoption of Agenda

5) Public Comments for Closed Session Items

6) Closed Session
Conference with Legal Counsel – Existing Litigation (Gov. Code section 54956.9(d)(1).)
Robert McClain v. City of Lafayette, et al.
Contra Costa County Superior Court, Case No. N23-1644

7) Pledge of Allegiance **7:00 pm**

8) Mayor Candell – Land Acknowledgement Statement

9) Public Comments (for items not on the agenda) **7:00 pm**

10) City Manager's Update

11) Presentations
   A. **Tracey Farrell and Adam Winig, The Park Theater Trust**
   Update on the Park Theater Renovation
   Recommendation: Receive and file.

   B. **Suzy Pak, Community Outreach Coordinator for Lamorinda Village**
   Update on the Lamorinda Village Supported Memberships
   Recommendation: Receive and file.

12) Consent Calendar
   A. **Minutes**
      1. **March 24, 2025**
      Recommendation: Approve.

      2. **March 28, 2025**
      Recommendation: Approve.

      3. **March 31, 2025**
      Recommendation: Approve.

   B. **Letter of Support for Contra Costa Transportation Authority (CCTA) Grant Application**
   Recommendation: Authorize staff to provide the Contra Costa Transportation Authority with a signed letter from the City of Lafayette in support of a CPUC Last-Mile Grant Program application.

   C. **Resolution 2025-20: Compliance with MTC's Transit Oriented Communities Policy as a Condition for the Lafayette Downtown BART Access and Circulation Project.**
   Recommendation: Adopt Resolution 2025-20 that commits the City of Lafayette to completing the Lafayette Downtown BART Access and Circulation Project for compliance with MTC's Transit Oriented Community policy requirements.

D. **Core Area Landscaping and Lighting District 1979-1 – Resolution 2025-22 Approving the Preliminary Engineer's Report and Announcing the City's Intention to Levy and Collect Assessment for Fiscal Year 2025-2026**
Recommendation: Adopt Resolution 2025-22.

E. **Residential Lighting District 1979-2 - Resolution 2025-23 Approving the Preliminary Engineer's Report and Announcing the City's Intention to Levy and Collect Assessments for Fiscal Year 2025-2026**
Recommendation: Adopt Resolution 2025-23.

F. **Adoption of Title VI (Non-Discrimination) Program Enabling the City to be Eligible for Receipt of Federal Funds**
Recommendation: Adopt Resolution 2025-25.

G. **Resolution 2025-26 Declaring Property at 990 Moraga Road as Exempt Surplus Land**
Recommendation: Adopt Resolution 2025-26.

H. **Proclamation recognizing and celebrating a decade of Lamorinda Village's invaluable service to our community and the older adults it serves.**
Recommendation: Approve proclamation.

13) Old Business

14) Staff Reports

A. **Jonathan Katayanagi, Parks and Recreation Director and**
Continued Funding of Supported Memberships to Lamorinda Village for Lafayette Residents
Recommendation: Continue funding of Supported Memberships to Lamorinda Village for Lafayette residents at $70,000 annually for the next two fiscal years, with funding provided upfront at the beginning of each service year. Additionally, direct the City Manager to execute a Memorandum of Understanding or a similar agreement requiring Lamorinda Village to automatically accept all residents of Chateau Lafayette and Belle Terre, as well as any Lafayette resident who meets the financial means test, as Supported Members. The agreement will also require the Village to make its best efforts to have a staff member participate in regular meetings of the Senior Services Commission as the Village's liaison to the Commission.

B. **James Williams, Police Chief and Mala Subramanian, City Attorney**
Update: Free Speech/Protest at Lafayette Elementary School
Recommendation: Receive and file.

C. **Niroop Srivatsa, City Manager**
SB 79 (Wiener): Planning and zoning: housing development: transit-oriented development
Recommendation: Authorize the Mayor to send a letter to the Senate Housing Committee and Senate Local Government Committee opposing the bill.

15) Public Hearings

16) Items Removed from Consent

17) Council / Commission Reports

A. Councilmembers report on activities and consideration of matters a Councilmember wishes to initiate for placement on a future agenda.

18) Written Communications

A. **Letter from Christine Raymond, Board Member of the Community Foundation of Lafayette, requesting**

use of Lafayette Plaza on Saturday, May 3rd from 7am to 3pm for Lafayette's 4th Annual Lafayette Community Day to include closure of Plaza Way and no enforcement of the parking meters around the Plaza and Golden Gate Way.
Recommendation: Approve the request and adopt Resolution 2025-24.

B. **E-mail from Eric Shaw, Principal of Acalanes High School, requesting use of Lafayette Plaza on Thursday, May 22nd for the Senior Class Celebration.**
Recommendation: Approve the request pending receipt of insurance certificate and adopt Resolution 2025-21.

C. **E-mail from Peter Norton resigning from the Creeks Committee effective April 16, 2025.**
Recommendation: Accept resignation and thank Peter Norton for six years of volunteer service.

19) Adjournment

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance of a Regular Meeting and 24 hours in advance of a Special Meeting at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. in the glass case and on the City **website https://www.lovelafayette.org/**.

Agendas and packets shall be made available at least 72 hours in advance of regular meetings and 24 hours in advance of special meetings at the Lafayette City Offices, 3675 Mt. Diablo Blvd, Suite 210, Lafayette, CA. and on the City **website https://www.lovelafayette.org/.**

Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA and on the City **website https://www.lovelafayette.org/.**

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 284-1968 as soon as possible before the meeting.

Council meetings will adjourn at or before 11:00 p.m. the date of the commencement of the Council meeting except that a majority of the Councilmembers present may vote to continue after 11:00 p.m. to hear any matter. However, in no event may a new matter be considered on or after 12:00 a.m. the following day.